

1907-024 Chancery Causes: Flora Gibson vs. Sherman Gibson
Lee Co.

Carnes

CA-Divorce

To the Hon.H.A.W.Skeen, Judge of the Circuit Court for Lee
County, Virginia:

Humbly complaining your oratrix, Flora Gibson, nee Carnes, would respectfully show unto your Honor that on the _____ day of _____ 1902, she intermarried with one Sherman Gibson, and that she and her said husband lived and cohabited together as man and wife for about two years, when he without any just cause abandoned your oratrix and has lived separate and apart from her, refusing to contribute to her support for more than three years; and that she has not cohabited with her said husband since he abandoned her. That she is now and has been a citizen of this State and county for more than twelve months next preceding the institution of this suit. And that she is informed that, by reason of the abandonment of her by her said husband, she is under the laws of Virginia, entitled to an absolute divorce from her said husband,

Therefore being remediless save in a court of equity, the payer of your oratrix is that the said Sherman Gibson be made a party defendant to this bill, that he be required to answer same but not on oath, that being waived, that proper process issue, that an order of publication be made published and posted as required by law against the said Sherman Gibson, he not being a resident of this State, and that upon a final hearing of this cause, a decree be entered dissolving the bonds of matrimony heretofore contracted and at this time existing between your oratrix and the said x Sherman Gibson, and that all such other further and general relief be granted your oratrix as in the premises may be just and right, And She will ever pray, etc.

J. B. Hall. p. q.

Flora Gibson
vs Bill in Chan.
Sherman Gibson.

1907 2nd April Rules
Bill filed, Sp.
not executed, Def.
now resident Cal.
for O.P.
1st May Rules
" O.P. Completed
& cause set for
hearing.

Costs:

Clerk	\$5.41
atty.	15.00
Tax	1.50
	<u>\$21.91</u>

Flora Gibson,

Plaintiff.

vs.

In Chancery

Sgerman Gibson,

Defendant.

This cause came on to be heard upon the bill of the plaintiff the order of publication, duly made posted and published, against the defendant, who is a non-resident, and the depositions of witnesses and was argued by counsel for plaintiff.

On consideration thereof, and the defendant not appearing it is adjudged, ordered and decreed, that the bonds of matrimony existing between the plaintiff and defendant, be and are hereby dissolved, and the said parties divorced from each other. And that the plaintiff recover against the defendant the cost of this suit. And the cause is stricken from the docket.

Flora Gibson
vs Decees Final
Sherman Gibsons

Enter this Discrees.

Hausman
Judge.

Dec. 10, 1907-

Flora Gibson

vs-

Sherman Gibson

This cause came on this day to be heard on the bill of the Plaintiff, and order of publication against the defendant, and was argued by counsel, and it appearing to the Court that the order of publication against the said defendant has been duly posted published and completed for more than 15 days ^{and he has failed to appear pursuant to order} before this date, and it being stated in open Court that the depositions in this case have not been completed, but are expected to be on tomorrow, and all other business of this Term of Court being about finished and there being nothing except this cause demanding the attention of the Court should it sit next week by the consent of the plaintiff the defendant not having appeared, this cause is made a vacation cause, and the plaintiff is permitted to finish her depositions and submit the cause for decree in vacation which decree when entered shall have the same force and effect as if entered in Term Time in open Court and till the returning said decree this cause is continued.

Flora Gibson
vs & Chancery

Sherman Gibson
Decree

Entered in C.O.B.
8, page 300

Enter this decree
This May 24, 1907,
H. A. Co. S. J. Judge.

The depositions of Millie Carnes and Flora Gibson
taken ex parte, before me W.K.Hopkins, a Commissioner in Chancery
for the Circuit Court for Lee county, Virginia, on the 28th day
of May, 1907, at the law office of J.C.Noel in the town of
Pennington Gap, Lee County Virginia, to be read in evidence,
in behalf of the plaintiff in a certain suit in equity,
depending in the Circuit Court for said county, wherein
Gibson nee
Flora Carnes is plaintiff and Sherman Gibson is defendant.

Present J.C.Noel, Counsel for plaintiff.

Millie Carnes a witness of Lawful age being duly sworn deposes
as follows:-

I am about fifty years old, and am the mother of the plaintiff
in this suit. I reside at Pennington Gap, Va.
My daughter, the plaintiff, Flora, was married to the defendant
Sherman Gibson in August, 1901; they lived together about two years
=e then abandoned Flora, and has not lived or cohabited with her
for nearly four years. During all that time he has not contributed
to her support in any way. She has made her home with me, ever since
they separated. The defendant lives now in Kentucky, somewhere,
so I am informed.

And further this deponent sayeth not.

Millie Carnes

Flora Gibson another witness of lawful age, being duly sworn deposes
and says:-

I am the plaintiff in this case. I am twenty three years old,
and reside with my mother, in the town of Pennington Gap, Va.
I was married to the defendant Sherman Gibson in the year ~~XXXXXX~~
1901. We lived together as man and wife for about two years. He then
deserted me, without any fault on part, and has not lived or cohabited
with me for nearly four years. He has not contributed to my support
in any way since we separated.

And further this deponent sayeth not.

Flora Gibson

Virginia, Lee County, to-wit:

I, W. K. Hopkins, a commissioner in chancery in and for the Circuit Court for the county aforesaid, do certify that the foregoing depositions of Millie Carnes and Flora Gibson were duly taken subscribed, and sworn to before me in my county aforesaid at the time and place and for the purpose therein mentioned.

Given under my hand this 28th day of May, 1907.

W. K. Hopkins
Commissioner in Chancery for the
Circuit Court for Lee County, Va.

Filosa Gibson
vs { Deposition
Sherman Gibson

Filed Aug. 17, 1907.
H. C. Ewing,
Clerk.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 2nd
day of April, 1907

Flora Gibson

against

Plaintiff

In Chancery,

Sherman Gibson,

Defendant

The object of this suit is to obtain a divorce a vinculo mat-
rimonis,

And an affidavit having been made and filed that the defendant, Sherman Gibson is
a not resident of the State of Virginia, it is ordered that he do appear here within fifteen days
after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in The Punnington
News and that a copy be posted at the front door of the Courthouse of this county as prescribed
by law.

A copy—Teste:

J. C. Noel,

p. q.

W. G. Ewing, Clerk.
By M. Haughey, D.C.,

Flora Gibson

vs.

}

ORDER OF
PUBLICATION

Sherman Gibson

Virginia, Lee County, to-wit:
I, H.C.P. Ewing, County
Clerk, do certify that I
posted a true copy
of the within order
of publication at
the front door of
the Court-house of
this County on this
day.

Given under my
hand, this April 2,
1907.

H.C.P. Ewing,
Clerk.

In the Clerk's Office of the Superior Court of the County
Free

Flora Gibson

Plaintiff

against

Sherman Gibson

Defendant

This day J. B. Noel personally appeared
before me M. E. Flannery deputy for H. C. Ewing Clerk of the said Court,
and being duly sworn, made oath that Sherman Gibson

defendant in the said suit is not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 30 day of March 1907

M. E. Flannery, Deputy for
H. C. Ewing, Clerk

Flora Gibson,

VS { AFFIDAVIT FOR ORDER
OF
PUBLICATION

Sherman Gibson,

J. L. Noel, p. q.

Filed ~~Mar~~ Apr.
2nd, 1907.

H. C. S. Ewing,
Clk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Sherman Gibson*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *2nd* Monday in *April*, 190*7*, to answer a bill in chancery exhibited against *him*
by Flora Gibson,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *2nd*
day of *April*, 190*7*, and 1*31st* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Flora Gibson

VS

}

SUBPENA
IN
CHANCERY

Sherman Gibson

J. L. Noel, p. q.

To 2nd April Rules

Circuit Court

1907

Flora Gibson,
vs. } In Chancery.
Shermon Gibson

This is to certify that the within Order of Publication of Flora Gibson against Sherman Gibson was published four successive ^{weeks} in the PENNINGTON NEWS, a weekly News Paper Published in Lee County Virginia, beginning on the 5th. day of April, and ending on the 29, day of April, 1907.

Given under my hand on this the 24th. day of May, 1907.

W. L. Hopkins Editor,
the Pennington News.

Order of Publication.

In the Clerk's Office of the Circuit Court of the County of Lee, on the 2nd. day of April, 1907.

Flora Gibson, Plaintiff. }
against } In Chancery
Sherman Gibson, Def. }

The object of this suit is to obtain a divorce a vinculo matrimonii.

And an affidavit having been made and filed that the defendant, Sherman Gibson is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Pennington News and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

I. C. T. Ewing, Clerk. By M. E. Flanary, D. C.
J. C. Noel, p. q. 4-5 4-t

Flora Gibson
vs { certificate
Sherman Gibson

Filed Aug. 17, 1907
H. C. Ewing, Clerk.